

REMARKS

In complete response to the outstanding Official Action of December 4, 2002, on the above-identified application, reconsideration is respectfully requested.

In the Claims:

Claim 1 has been amended to include the limitation that the needle mounting hole and the annular passage are both concentrically formed in the same device, the spinnerette body. Support for this amendment may be found in Figure 2 and Figure 3, where it is clearly illustrated that both the annular passage (153) and the needle mounting hole (111) are formed in the spinnerette body (110). Further support for this amendment may be found in the Specification on Page 9, Lines 15 through 19:

"Further, since needle 130 is securely fixed to the spinnerette body into mounting hole 111, alignment of the needle concentrically within upper and lower annular passages 153 and 154 is assured and thus laborious and intricate alignment processes are obviated, thereby further reducing turnaround time."

Claim Rejections Under 35 U.S.C. § 112:

Claims 5-7, 10-11, 16-18 and 21-23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. As the result of such rejections, the following amendments have been.

Claim 5 has been canceled.

Claim 6 has been amended to delete the element "a" and to insert therefore – said –. This amendment identifies *the bore forming fluid passage* of line 3 as being the same as *the bore forming fluid passage* that is recited in line 6 of claim 1.

Claim 7 has not been amended, since the amendment to claim 6 renders this rejection moot.

Claim 10 has been amended to delete the element "the" and to insert therefore – a –. This amendment establishes the proper antecedent basis for this claim limitation.

Claim 11 has been amended to delete the element "a" and to insert therefore – said –. This amendment identifies the *sheath forming material inlet port* of line 2 as the same *sheath forming material inlet port* claimed in line 14 of claim 1.

Claim 16 has been canceled.

Claim 17 has been amended to delete the element "a" and to insert therefore – said –. This amendment identifies *the bore forming fluid passage* of line 3 as being the same as *the bore forming fluid passage* that is recited in line 6 of claim 12.

Claim 18 has not been amended, since the amendment to claim 17 renders this rejection moot.

Claim 21 has been amended to delete the element "the" and to insert therefore –a –. This amendment establishes the proper antecedent basis for this claim limitation.

Claim 22 has been amended to delete the element "a" and to insert therefore – said –. This amendment identifies the *first sheath forming material inlet port* of line 2 as the same *first sheath forming material inlet port* claimed in line 14 of claim 12.

Claim 23 has been amended to delete the element "a" and to insert therefore –said –. This amendment identifies the *second sheath forming material inlet port* of line 2 as the same *second sheath forming material inlet port* claimed in line 17 of claim 12.

Claim Rejection Under 35 U.S.C. § 102:

Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Moore, Sr. '512. Applicant respectfully contends that the present invention is not anticipated by Moore, Sr. '512.

Applicant has amended independent claim 1 to introduce the limitation that the needle mounting hole and the annular passage are both concentrically formed in the same device, the spinnerette body. As this new limitation is not found in Moore, Sr. '512, this amendment renders such rejection moot.

First Claim Rejection Under 35 U.S.C. § 103:

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Moore, Sr. '512 in view of Ando et al '044. Applicant respectfully contends that the present invention is not unpatentable over Moore, Sr. '512 in view of Ando et al '044.

The Examiner acknowledges that Moore, Sr. '512 :

"fails to teach the sheath forming material passage having a sheath forming material port situated at an exterior surface of the spinnerette body in communication with a channel formed in the spinnerette body, the channel being in communication with the gap defined between the spinnerette body and the bottom plate." (Page 8, near the top)

The Examiner then states that Ando et al '044 cures this deficiency. Applicant respectfully disagrees with the Examiner, since the design disclosed in Ando et al '044 actually directs the sheath forming material into two separate channels within the spinnerette body. In Ando et al '044, only a portion of the sheath forming material is directed into the channel formed in the spinnerette body (Fig. 12, #7), with the remainder of the sheath forming material being extruded through an internal injecting passage (#10). This internal spinnerette design of Ando et al '044 and the flow pathways of both the core and sheath materials are fundamentally different from the designs disclosed in either Moore, Sr. '512 or the present invention. Hence, one of ordinary skill in the art would not find that Moore, Sr. '512 in view of Ando et al '044 teaches or suggests the present invention.

Second Claim Rejection Under 35 U.S.C. § 103:

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinkead '034 in view of Ando et al '044. Applicant respectfully contends that the present invention is not unpatentable over Kinkead '034 in view of Ando et al '044.

Applicant respectfully contends that Kinkead '034 is nonanalogous art. Kinkead '034 discloses an apparatus for filling tubular edible casings with various

types of food material. The problems inherent in this field of endeavor, and the associated technology, are not related to the problems in the field of hollow multicomponent polymer fiber production, as pertains to the present application. Hence, one of ordinary skill in the art would not have looked to Kinhead '034 to have solved the problem treated by the claimed invention.

Ando et al '044 discloses an apparatus that introduces the core and sheath material through a plurality of discrete injection passages 9, in contrast to introducing the sheath and core materials in a concentric fashion as is the case with the present invention. Ando et al '044 teaches away from the present invention, since it discloses an apparatus that does not introduce a bore material. Hence, one of ordinary skill in the art would not find that Ando et al '044 teaches or suggests the present invention.

Additionally, Applicant has amended claim 1 to introduce the limitation that the needle mounting hole and the annular passage are both concentrically formed in the same device, the spinnerette body. As this new limitation is not found in either Kinhead '034 or Ando et al '044, nor would one of ordinary skill in the art find it obvious in light of Kinhead '034 in view of Ando et al '044, this amendment renders such rejections moot.

Third Claim Rejection Under 35 U.S.C. § 103:

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinhead '034 in view of Goffe '629. Applicant respectfully contends that the present invention is not unpatentable over Kinhead '034 in view of Goffe '629.

In contrast with the present invention, Goffe '629 discloses an apparatus in which the injection tube assembly is not formed into the same device as that which injects the sheath or core material. Goffe '629 discloses an apparatus for

forming single component fibers, and hence does not introduce sheath material at all. Therefore, one of ordinary skill in the art would not find that Goffe '629 either teaches or suggests the present invention.

Additionally, Applicant has amended claim 1 to introduce the limitation that the needle mounting hole and the annular passage are both concentrically formed in the same device, the spinnerette body. As this new limitation is not found in either Kinhead '034 or Goffe '629, nor would one of ordinary skill in the art find it obvious in light of Kinhead '034 in view of Goffe '629, this amendment renders such rejections moot.

Fourth Claim Rejection Under 35 U.S.C. § 103:

Claims 12-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moore, Sr. '512. Applicant respectfully contends that the present invention is not unpatentable over Moore, Sr. '512.

Applicant has amended claim 12 to introduce the limitation that the needle mounting hole and the annular passage are both concentrically formed in the same device, the spinnerette body. As this new limitation is not found in Moore, Sr. '512 this amendment renders such rejections moot.

Fifth Claim Rejection Under 35 U.S.C. § 103:

Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Moore, Sr. '512 in view of Ando et al '044. Applicant respectfully contends that the present invention is not unpatentable over Moore, Sr. '512 in view of Ando et al '044.

Applicant has amended claim 12 (to which claim 22 is ultimately dependant) to introduce the limitation that the needle mounting hole and the

annular passage are both concentrically formed in the same device, the spinnerette body. As this new limitation is not found in either Moore, Sr. '512 or Ando et al '044, this amendment renders such rejections moot.

Sixth Claim Rejection Under 35 U.S.C. § 103:

Claims 12-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinkead '034 in view of Goffe '629. Applicant respectfully contends that the present invention is not unpatentable over Kinkead '034 in view of Goffe '629.

Applicant has amended claim 12 to introduce the limitation that the needle mounting hole and the annular passage are both concentrically formed in the same device, the spinnerette body. As this new limitation is not found in either Kinkead '034 or Goffe '629, this amendment renders such rejections moot.

Seventh Claim Rejection Under 35 U.S.C. § 103:

Claims 12-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinkead '034 in view of Ando et al '044. Applicant respectfully contends that the present invention is not unpatentable over Kinkead '034 in view of Ando et al '044.

Applicant has amended claim 12 to introduce the limitation that the needle mounting hole and the annular passage are both concentrically formed in the same device, the spinnerette body. As this new limitation is not found in either Kinkead '034 or Ando et al '044. One of ordinary skill in the art would not find it obvious in light of Kinkead '034 in view of Ando et al '044. This amendment renders such rejections moot.

PROVISIONAL DOUBLE PATENTING:

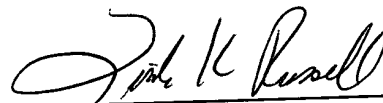
Applicant respectfully acknowledges this obviousness-type rejection. Based on the current amendments, the rejection should be withdrawn.

CONCLUSION

In view of the current amendments, the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited.

Should the Examiner believe that a telephone call would expedite prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,



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